

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**EDGAR MARTINEZ VELLON,  
ADC #134175, et al.**

**PLAINTIFFS**

**v.**

**Case No. 4:13-cv-00397-KGB-JTK**

**AARON BROCK, et al.**

**DEFENDANTS**

**ORDER**

Before the Court are the Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 8) and plaintiff Edgar Martinez Vellon's motion to voluntarily dismiss his claims against defendants (Doc. No. 21).

Mr. Martinez Vellon filed timely objections to the Proposed Findings and Recommendations (Dkt. No. 10). After a review of the Proposed Findings and Recommendations, and the timely objections received thereto, as well as a *de novo* review of the record, the Court adopts the Proposed Findings and Recommendations in their entirety. Accordingly, it is ordered that plaintiff Jesse Fernandez be dismissed for failure to prosecute and that Mr. Martinez Vellon's claim of confiscation of personal property by defendants be dismissed for failure to state a claim upon which relief may be granted.

Further, Mr. Martinez Vellon's motion to dismiss voluntarily the remainder of his claims against defendants, without prejudice, is granted. An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 16th day of October, 2013.



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KRISTINE G. BAKER  
UNITED STATES DISTRICT JUDGE